

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FEDERAL TRADE COMMISSION**

**Plaintiff,**

**VS.**

**MORRONE'S WATER ICE, INC,**

**a Pennsylvania Corporation;**

## FRANCHISE CONSULTANTS

**CORPORATION, a Pennsylvania**

**corporation, d/b/a, FRANCHISE**

**CONSULTANTS GROUP;**

**ICE AMERICA CORPORATION,**

**a Pennsylvania corporation;**

**WATER ICE SYSTEMS, INC.,**

**A Pennsylvania corporation;**

**JMS SALES, INC., a Pennsylvania**

**corporation;**

**STEPHEN D. ALEARDI, a/k/a STEVE**

**ALEARDI, individually and as an officer**

## of FRANCHISE CONSULTANTS

**CORPORATION, ICE AMERICA**

**CORPORATION, WATER ICE**

**SYSTEMS, INC., JMS SALES, INC.;**

**and, JOHN J. MORRONE, III,**

**individually and as an officer of ICE**

## AMERICA CORPORATION, WATER

## ICE SYSTEMS, INC., and JMS SALES

**INC.**

**Defendants.**

## ORDER

**AND NOW**, this 24<sup>th</sup> day of June, 2002, at the joint request of the parties for a continuance of the Preliminary Injunction Hearing scheduled for June 28, 2002, and an extension of the *Ex Parte* Temporary Restraining Order issued June 18, 2002, following a telephone conference with the parties, through counsel, on June 24, 2002, **IT IS ORDERED** that the Preliminary Injunction Hearing scheduled for June 28, 2002, is **CONTINUED** to July 9, 2002, at

10:00 o'clock A.M., in Courtroom 12-B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania. At that time and place all defendants shall appear before this Court to show cause, if any there be, why this Court should not enter a preliminary injunction, pending final ruling on the Complaint, against said Defendants enjoining them from further violations of Section 5(a) of the Federal Trade Commission Act, 15 U.S.C. § 45(a), and the Franchise Rule, 16 C.F.R. Part 436, and imposing such additional relief as may be appropriate.

**IT IS FURTHER ORDERED** as follows:

1. Defendants shall file and serve, not later 4:00 P.M. on July 1, 2002, (1) an answer or other response to the Complaint and (2) a response to the Application for Temporary Restraining Order with Supporting Memorandum of Law;

2. The Commission shall file and serve, not later than noon on July 3, 2002, a reply to defendants' responses to Plaintiff's Application for Temporary Restraining Order;

3. The Commission and defendants shall file and serve, not later than 4:00 P.M. on July 5, 2002, (1) proposed findings of fact and conclusions of law, (2) a memorandum of law (or supplemental memorandum of law) discussing the facts of the case and the applicable law, (3) a witness list, and (4) a proposed order;

4. Two (2) copies of each of the aforesaid documents shall be served on the Court (Chambers, Room 12613) at the time the originals are filed; and,

5. All exhibits which the parties intend to present at the Preliminary Injunction Hearing shall be numbered and exchanged in advance of the hearing. At the commencement of the hearing, the Court shall be furnished with two (2) copies of each exhibit and three (3) copies of an exhibit list.

**IT IS FURTHER ORDERED** that, excepting only what is set forth above, by agreement of the parties, the *Ex Parte* Temporary Restraining and Order to Show Cause Why a Preliminary Injunction Should Not Issue, which was issued by this Court on June 18, 2002, shall **CONTINUE** in effect until further order of the Court.

**BY THE COURT:**

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**JAN E. DUBOIS, J.**